Senate File 363 - Introduced

SENATE FILE 363 BY BACON

A BILL FOR

- 1 An Act relating to the use of a flashing blue light on certain
- 2 funeral escort vehicles and making a penalty applicable.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

- 1 Section 1. Section 321.324A, subsection 1, Code 2011, is
- 2 amended to read as follows:
- 3 1. For purposes of this section, "funeral procession" means
- 4 a procession of motor vehicles accompanying the body of a
- 5 deceased person during daylight hours, which is being escorted
- 6 by a vehicle continually displaying its emergency signal
- 7 lamps flashing simultaneously and using lighted headlamps and
- 8 identifying flags, or an escort a vehicle displaying a flashing
- 9 or revolving red and amber light visible to pedestrians in all
- 10 directions, or a funeral escort vehicle with a permit issued
- 11 under section 321.451A displaying a flashing blue light, and
- 12 keeping all other motor vehicles with lighted headlamps in
- 13 close formation.
- 14 Sec. 2. Section 321.423, subsection 3, Code 2011, is amended
- 15 to read as follows:
- 16 3. Blue light.
- 17 a. A blue light shall not be used on any vehicle except for
- 18 the following:
- 19 (1) A vehicle owned or exclusively operated by a fire
- 20 department.
- 21 (2) A vehicle authorized by the chief of the fire department
- 22 if the vehicle is owned by a member of the fire department,
- 23 the request for authorization is made by the member on forms
- 24 provided by the department, and necessity for authorization is
- 25 demonstrated in the request.
- 26 (3) An authorized emergency vehicle, other than a vehicle
- 27 described in paragraph a, subparagraph (1) or (2), if the blue
- 28 light is positioned on the passenger side of the vehicle and is
- 29 used in conjunction with a red light positioned on the driver
- 30 side of the vehicle.
- 31 (4) A funeral escort vehicle with a permit issued under
- 32 section 321.451A, when the vehicle is leading a funeral
- 33 procession as defined in section 321.324A to a cemetery or
- 34 other place for the burial, entombment, or interment of human
- 35 remains.

- 1 b. A person shall not use only a blue light on a vehicle
- 2 unless the vehicle meets the requirements of paragraph "a",
- 3 subparagraph (1), or (2), or (4).
- 4 Sec. 3. NEW SECTION. 321.451A Funeral escort vehicles —
- 5 blue light permit.
- 6 l. The owner of a motor vehicle used as a funeral escort
- 7 vehicle who wishes to display a flashing blue light on the
- 8 vehicle shall apply for a permit on forms provided by the
- 9 department. Upon receipt of the application and a showing of
- 10 necessity for the designation, the director or the director's
- 11 designee may issue a permit for the use of a blue light as
- 12 provided in section 321.423, subsection 3, paragraph "a".
- 2. The application for a permit must include the name of
- 14 the owner of the vehicle, vehicle identification information,
- 15 a description of the vehicle's lighting equipment, and a
- 16 description of how the vehicle will be used as a funeral escort
- 17 vehicle.
- 18 3. The permit shall at all times be carried with the
- 19 registration receipt for the vehicle to which the permit
- 20 refers. The owner of the vehicle shall surrender the permit
- 21 to the department when the vehicle is no longer being used as
- 22 a funeral escort vehicle. The permit may be revoked by the
- 23 director upon a showing of abuse.
- 24 EXPLANATION
- 25 Under current law, a vehicle which is used to escort a
- 26 funeral procession may continually display its emergency signal
- 27 lamps, lighted headlamps, and identifying flags or display
- 28 a flashing or revolving red and amber light. Blue lights
- 29 are authorized for use on fire department vehicles, vehicles
- 30 owned by certain fire department members, and some authorized
- 31 emergency vehicles. This bill provides a process for the use
- 32 of a flashing blue light on a funeral escort vehicle.
- 33 Under the bill, if the owner of a funeral escort vehicle
- 34 wishes to use a flashing blue light, the owner must apply to
- 35 the department of transportation for a special permit. Upon a

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- 1 showing of necessity, the department may issue a permit for the
- 2 funeral escort vehicle. The permit must be carried with the
- 3 vehicle at all times and must be surrendered to the department
- 4 when the vehicle is no longer being used as a funeral escort
- 5 vehicle. The permit may be revoked by the department upon a
- 6 showing of abuse.
- 7 The bill authorizes the use of a flashing blue light on
- 8 a funeral escort vehicle with a permit when the vehicle is
- 9 leading a funeral procession to a cemetery or other place for
- 10 the burial, entombment, or interment of human remains.
- 11 Pursuant to current law, a violation of provisions relating
- 12 to the use of flashing lights on a vehicle is a simple
- 13 misdemeanor, punishable by a scheduled fine of \$30.